

SCOTTSDALE CITY COUNCIL MEETING

*** AMENDED *** MEETING NOTICE AND AGENDA [REMOVED REGULAR AGENDA ITEM NOS. 22 AND 26]



COUNCIL

W.J. "Jim" Lane, Mayor
Suzanne Klapp
Virginia L. Korte
Kathleen S. Littlefield

Linda Milhaven
Guy Phillips
David N. Smith

Tuesday, February 17, 2015

Unless an exception is made, or unless otherwise noted:

Citizens will be given three minutes to address the Council during the times set aside for public comment on Consent, Regular, or Mayor and Council items and during the open call to the public (Public Comment).

The Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Council meeting (March 3, 2015).

5:00 P.M. MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:24 P.M.

Roll Call – All present

One or more members of the Council may be unable to attend the Council meeting in person and may participate telephonically, pursuant to A.R.S. §38-431(4).

Pledge of Allegiance – Webelos Boy Scout Pack 682, Pack Leader Jon Komar

Invocation – Dr. David M. Joynt, Valley Presbyterian Church

Mayor's Report – Mayor Lane congratulated the 2014 National Merit Scholars.

Presentations/Information Updates – Brittany Mayes, Kimberley Lipsky, and Rachel Sacco presentations.

- **American Heart Association Gold Fit-Friendly and Cigna Well-Being Awards**
Presenter(s): Brittany Mayes, Business Development Director, American Heart Association; Kimberley Lipsky, Regional Manager, Cigna
- **Scottsdale Convention & Visitors Bureau Update**
Presenter(s): Rachel Sacco, President and CEO

Public Comment – Louise Lamb encouraged everyone to visit the Scottsdale Museum of the West.

Citizens may complete one Request to Speak "Public Comment" card per night and submit it to the City Clerk. Public Comment time is reserved for citizen comment regarding non-agendized items. No official Council action can be taken on these items. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during "Public Comment."**



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

ADDED ITEMS

Added Items: Resolution No. 8223 requires that, with limited exceptions, the agenda language, the Council report, and any supporting material described as being attached to the Council report shall be made available to the public at least ten days prior to a scheduled Council meeting. Material that is not timely made requires a separate vote to consider whether the item will remain on the agenda or be continued to a future date.

A1. Added Items

The Council report and supporting materials for Consent Item No. 16 will be added to the agenda less than ten days prior to the meeting and will require a separate vote to remain on the agenda.

Request: Vote to accept the agenda as presented or to continue the added item(s) to the March 3, 2015 Council meeting.

– Vice Mayor Milhaven made a motion to accept the agenda as presented. Councilmember Korte seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-21

How the Consent Agenda Works: The Council may take one vote to act on all of the items on the Consent Agenda, or may remove items for further discussion. If you wish to speak on an item on the Consent Agenda, please complete a Request to Speak card for each topic you wish to address. **You will be given one opportunity to speak on any or all Consent items listed on the agenda.** After all of the speakers have finished, the Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

1. **[PHO CAO Restaurant & Bar Liquor License \(1-LL-2015\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 7436 E. McDowell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
2. **[PHO CAO Restaurant & Bar Conditional Use Permit \(12-UP-2014\)](#) – **Councilmember Korte moved to adopt Resolution No. 10026 approving a Conditional Use Permit for live entertainment. Councilwoman Littlefield seconded the motion, which carried 7/0.**
Request: Find that the conditional use permit criteria have been met, and adopt **Resolution No. 10026** approving a Conditional Use Permit for live entertainment for a new restaurant opening in an existing building with Highway Commercial (C-3) District zoning.
Location: 7436 E. McDowell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
3. **[Continental Golf Course Liquor License \(2-LL-2015\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 7920 E. Osborn Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
4. **[Continental Golf Course Liquor License \(3-LL-2015\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 7 (beer and wine bar) State liquor license for an existing location with a new owner.
Location: 7920 E. Osborn Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**

5. **[Ancala Country Club Liquor License \(4-LL-2015\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 6 (bar) State liquor license for an existing location with a new owner.
Location: 11700 E. Via Linda
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
6. **[Babe's Cabaret Liquor License \(5-LL-2015\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 6 (bar) State liquor license.
Location: 2011 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
7. **[Permanent Extension of Premises for Venue of Scottsdale \(1-EX-2015\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premise for a Series 6 (bar) State liquor license.
Location: 7117 E. 3rd Avenue
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
8. **[Verizon PHO Dynamic Conditional Use Permit \(8-UP-2014\)](#) – **Approved on Consent.**
Request: Find that the conditional use permit criteria have been met, and adopt **Resolution No. 10016** approving a Conditional Use Permit for a new Type 4, Alternative Concealment, Wireless Communication Facility to be located on a new 55-foot-tall artificial palm tree, with associated ground-mounted equipment, with Industrial Park (I-1) zoning.
Location: 1525 N. Hayden Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
9. **[Verizon PHO Macjack Conditional Use Permit \(10-UP-2014\)](#) – **Approved on Consent.**
Request: Find that the conditional use permit criteria have been met, and adopt **Resolution No. 10027** approving a Conditional Use Permit for a new Type 4, Alternative Concealment, Wireless Communication Facility to be located on a new 65-foot-tall artificial palm tree, with associated ground-mounted equipment, with Open Space (O-S) zoning.
Location: 4251 N. Hayden Road, southern end of Indian School Park
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
10. **[Capital Improvement Projects On-Call Transportation Engineering Services Contracts](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10018** authorizing the following on-call engineering services contracts, in an amount not to exceed \$1,500,000 per term and per contract, for design of various transportation projects:
 1. Contract No. 2015-039-COS with Dibble & Associates Consulting Engineers, Inc., dba Dibble Engineering.
 2. Contract No. 2015-040-COS with Gavan & Barker, Inc.
 3. Contract No. 2015-041-COS with Premier Engineering Corporation**Staff Contact(s):** Daniel Worth, Public Works Executive Director, 480-312-5555, daworth@scottsdaleaz.gov**

11. **[Scottsdale's Museum of the West Right-of-Way Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10022** authorizing Right-of-Way Agreement No. 2015-044-COS with Qwest Corporation, dba CenturyLink QC, to relocate the existing wireless communication facilities at Scottsdale's Museum of the West property.
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, daworth@scottsdaleaz.gov**
12. **[Zone 14/16 Water Distribution Improvements Engineering Services Contract](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 9995** authorizing Engineering Services Contract No. 2015-003-COS with HDR Engineering, Inc., in the amount of \$552,619 to design water distribution improvements for Zone 14/16 to serve Wildcat Hill.
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, daworth@scottsdaleaz.gov**
13. **[Surplus Property Conveyance](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10036** authorizing the sale of a City-owned, mixed-use office and residential building to McKnight Office, LLC, in the amount of \$2,975,000.
Location: 4021 N. 75th Street
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, daworth@scottsdaleaz.gov**
14. **[Emergency Traffic Management Mutual Aid Intergovernmental Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10031** authorizing Intergovernmental Agreement No. 2012-186-COS-A1 with Maricopa County Department of Transportation for emergency traffic management mutual aid (Regional Emergency Action Coordinating Team Program).
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, daworth@scottsdaleaz.gov**
15. **[Emergency and Specialty Law Enforcement Mutual Aid Intergovernmental Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10035** authorizing Intergovernmental Agreement No. 2015-047-COS with the Salt River Pima-Maricopa Indian Community for emergency and specialty law enforcement mutual aid.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov**
16. **[Baseball City Event](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10043** to authorize:
 1. Funding not to exceed \$75,000 from the City portion of bed tax allocated toward one-time commitment capital, event, and administration for the Baseball City event.
 2. New Event Funding Agreement No. 2015-051-COS with Legacy Agency, Inc.**Staff Contact(s):** Paul Katsenes, Tourism and Events Director, 480-312-2890, pkatsenes@scottsdaleaz.gov**
17. **[Audit Committee Recommendation for Development Review Board Sunset Review](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10041** accepting the Audit Committee's recommendation and authorizing continuation of the Development Review Board.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov**

18. **[Audit Committee Recommendation for Planning Commission Sunset Review](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10042** accepting the Audit Committee’s recommendation and authorizing continuation of the Planning Commission.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov**
19. **[Economic Development Strategic Plan](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 9750** authorizing the adoption of the Economic Development Strategic Plan titled “Scottsdale, AZ: Elevating Excellence, Promoting Prosperity.”
Staff Contact(s): Danielle Casey, Economic Development Director, 480-312-7601, dcasey@scottsdaleaz.gov**
20. **[Taxation Code Amendment](#) – **Approved on Consent.**
Request: Adopt **Ordinance No. 4192** amending Appendix C, Privilege and Excise Taxes, Article III, Licensing and Recordkeeping, of the Scottsdale Revised Code to repeal Section 315, Transient Privilege Licenses, to conform to Municipal Tax Code Commission changes.
Staff Contact(s): Teresa Hogle, Business Services Manager, 480-312-2463, thogle@scottsdaleaz.gov**
21. **[Monthly Financial Report](#) – **Approved on Consent.**
Request: Accept the FY 2014/15 Monthly Financial Report as of December 2014.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov**

REGULAR AGENDA ITEMS 22-26

How the Regular Agenda Works: The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Request to Speak card for each topic you wish to address and submit it to the City Clerk. Speakers will be given at least three minutes to speak per item. Additional time may be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together. **Comment cards must be submitted before public testimony has begun on that item.**

- ***22. **[Permanent Extension of Premises for Sushi Brokers \(9-EX-2014\)](#)**
(Removed at the request of the applicant)
23. **[Employee Medical Plans and Premiums](#) – **Councilmember Korte made a motion to adopt Resolution No. 10007 authorizing FY 2015/16 medical and dental plan contribution rates and an incentive to active, covered employees to participate in the City’s wellness screening program. Vice Mayor Milhaven seconded the motion, which carried 7/0.**
Request: Adopt **Resolution No. 10007** authorizing FY 2015/16 medical and dental plan contribution rates and an incentive to active, covered employees to participate in the City’s wellness screening program.
Presenter(s): Lauran Beebe, Human Resources Manager
Staff Contact(s): Lauran Beebe, Human Resources Manager, 480-312-2746, lbeebe@scottsdaleaz.gov**
24. **[City’s Proposed Fiscal Year 2015/16 Rates and Fees](#) – **City Treasurer Jeff Nichols and Water Resources Director Brian Biesemeyer presentations.**
Request: Presentation, discussion, and possible direction to staff regarding proposed FY 2015/16 rates and fees.
Presenter(s): Jeff Nichols, City Treasurer; Brian Biesemeyer, Water Resources Director
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov**

25. **Monthly Financial Update – City Treasurer Jeff Nichols presentation.**

Request: Receive, discuss, and provide possible direction on the City Treasurer’s monthly financial presentation as of January 2015.

Presenter(s): Jeff Nichols, City Treasurer

Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

***26. **Legislative Update**

(Removed at the request of staff)

Public Comment – None

Citizens may complete one Request to Speak “Public Comment” card per night and submit it to the City Clerk. Public Comment time is reserved for citizen comment regarding non-agendized items. No official Council action can be taken on these items. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during “Public Comment.”**

CITIZEN PETITIONS

ITEM 27

Citizen Petitions: This portion of the agenda is reserved for the submission and/or consideration of citizen petitions. There is no limit on the number of petitions a citizen may submit; however, **each citizen is limited to a total time of three minutes to speak to his/her petition(s)**. A Request to Speak card must be submitted, together with the petition(s), **before** the second Public Comment period begins.

27. **Receipt of Citizen Petitions – None**

Request: Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.

Staff Contact(s): Carolyn Jagger, City Clerk, 480-312-2411, cjagger@scottsdaleaz.gov

Mayor and Council Items – None

Adjournment – 7:29 P.M.